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BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION
WASHINGTON, D. C.
ORDER NO. 460

IN THE MATTER OF:		Served March 30, 1965
Airport Transport, Inc.,)	Formal Complaint No. 12
)	
Complainant,)	Docket No. 85
)	
v.)	
)	
Montgomery Charter Service, Inc.,)	
)	
Respondent.)	

Airport Transport, Inc., has filed a formal complaint against Montgomery Charter Service, Inc., alleging various violations of the Washington Metropolitan Area Transit Regulation Compact and requesting that the Commission take such action as is appropriate, including revocation of respondent's existing certificated authority.

Pursuant to Commission Rule 5, a copy of the complaint was served on Montgomery Charter Service, Inc. On March 18, 1965, Montgomery Charter Service, Inc., filed its answer to the allegations of the complainant, and requested the Commission to dismiss the complaint. At the same time Montgomery Charter Service, Inc., filed a motion for an order to take the deposition of the President of the complainant. The stated purpose of the deposition is for discovery or for use as evidence, or both.

The parties have failed to resolve the matter, and it is the opinion of the Commission that a hearing on this matter should be held. The Commission is of the further opinion that the motion to take the deposition should be denied. It is the Commission's opinion that Rule 19, which provides for depositions, was not promulgated for purposes of discovery.

THEREFORE, IT IS ORDERED:

1. That the formal complaint filed by Airport Transport, Inc., be, and it is hereby, set for hearing on Wednesday, April 14,

1965, at 9:30 A. M., in the office of the Commission, 1815 North Fort Myer Drive, Arlington, Virginia.

2. That Montgomery Charter Service, Inc., be, and it is hereby, made respondent to the proceeding.

3. That the motion for order to take deposition be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in dark ink, appearing to read "Delmer Ison", written over the typed name.

DELMER ISON
Executive Director